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7 Attorney for Plaintiffs/Judgment Creditors Angelito Trinidad, Esperanza David, Herman Tejada,
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9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE**
11 **DISTRICT OF THE NORTHERN MARIANA ISLANDS**

12
13 **ANGELITO TRINIDAD, et al,**

14 **Plaintiffs,**

15 **vs.**

16 **JOHN S. PANGELINAN, et al.,**

17 **Defendants.**

CIVIL ACTION NO. 97-0073

**EX PARTE MOTION FOR
DISBURSEMENT OF FUNDS**

Date: January ____, 2007

Time: _____

Judge: Hon. David A. Wiseman

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21 **MOTION**

22 Plaintiffs, through counsel Lillian A. Tenorio, hereby move ex parte this
23 Court for the disbursement of funds on deposit with the Clerk of Court pursuant to
24 7 CMC § 4204(c). This motion is essentially a procedural one to which Plaintiffs
25 are entitled under the Court's Amended Order Granting Writ of Execution and
26 under statute.
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1 The funds constitute the entire proceeds of the judicial sale of Lot No. E.A.
2 222, as ordered by the Court pursuant to its Amended Order Granting Writ of
3 Execution (Mar. 8, 2006). Mr. Mafnas's final payment on the balance of the
4 purchase price was deposited with the Clerk of Court on January 3, 2007. *See*
5 Exhibit "A". The Clerk of Court has in its custody the total sum of \$100,000,
6 representing the purchase price of the lot. Levying Officer Roy Alexander has
7 also executed the Certificate of Sale and Quitclaim Deed. *See* Exhibits "B" and
8 "C." The United States Marshal's Service has secured said parcel and turned over
9 possession to Rufo T. Mafnas on January 16, 2007.
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13 Accordingly, based on the exhibits attached herewith, the court record, and
14 the court's orders previously entered in this matter, the Plaintiffs request that the
15 court enter an Order directing the Clerk of Court to make payment as follows:
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17 (1) the sum of \$96,737.64, to the Plaintiffs, payable to Robert T.
18 Torres, Attorney at Law Client Trust Account, to pay the balance on the merit
19 judgment, accrued interest, attorney's fees, costs, and sanctions (excluding the
20 sanctions awarded in the court's October 23, 2006 Order). *See* Demand Pursuant
21 to 7 CMC § 4204(a); Notice of Levy on Lot No. E.A. 222 (May 15, 2006).
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23
24 (2) the sum of \$466.28 to the Plaintiffs, payable to Robert T. Torres
25 Attorney at Law Client Trust Account, for sanctions awarded in the court's Order
26 Approving Amount of Sanction entered on November 30, 2006.
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1 (3) the sum of \$435.28 to the Plaintiffs, payable to Robert T. Torres
2 Attorney at Law Client Trust Account, for reimbursement of fees paid to the
3
4 United States Marshal's office for services performed in connection with securing
5 the property and turning over possession to the purchaser.

6 (3) the sum of \$1,930.50 to payable to Roy Alexander for services
7
8 rendered and costs incurred as the Levying Officer. *See* Report and Account of
9 Sale attached as Exhibit "B" to Plaintiffs' Combined Motion to Lift Stay Order and
10 to Confirm Sale of Lot No. E.A. 222 (Nov. 13, 2006).

11 (4) the sum of \$430.30, representing the balance on the funds, payable
12
13 to John S. Pangelinan.

14 TOTAL SUM OF PAYMENTS TO BE MADE: \$100,000

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16 Upon payment of the foregoing sums to Plaintiffs, an Acknowledgment of
17 Full Satisfaction of Judgment shall be filed with the Court and served on the
18 Defendants.

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20 Respectfully submitted this 23rd day of January 2007.

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23 /S/
24 LILLIAN A. TENORIO
25 Attorney for Plaintiffs/Judgment
26 Creditors
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